

House JOINT RESOLUTION NO. 81

BY Heath
Wilson

A JOINT RESOLUTION

PROPOSING an Amendment to the Constitution of the State of Texas, amending Section 51-a and Subsections 51a-1 and 51a-2 of Article III so that the same shall consist of one section to be known as Section 51-a; providing that the Legislature shall enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy aged persons over the age of sixty-five (65) who are citizens of the United States, needy persons under the age of sixty-five (65) who are totally and permanently disabled and who are citizens of the United States, needy blind persons over the age of eighteen (18) who are citizens of the United States, and needy children under the age of twenty-one (21) years who are citizens of the United States and to the caretakers of such children; providing rehabilitation and other services to help such families and individuals attain or retain capability for independence or self-care; authorizing the Legislature to prescribe residence requirements; providing for the acceptance and expenditure of funds from the Government of the United States for such purposes; authorizing appropriations for such purposes out of State funds; providing that the maximum amount paid out of State funds to any individual recipient shall not exceed the amount that is matchable out of Federal funds; providing that the total amount of such payments for assistance and/or medical care out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; providing further that the amounts expended out of State funds for assistance payments only shall not exceed Sixty Million Dollars (\$60,000,000); providing for the necessary election, form of ballot, proclamation, and publication.

or more citizens who shall have no less than the minimum of the U.S. Govt of least 25 years

included in the Federal legislation providing matching funds

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. That Section 51-a and Subsections 51a-1 and 51a-2 of Article III of the Constitution of the State of Texas be amended, and the same are hereby amended, so that they shall hereafter consist of one section to be known as Section 51-a of Article III, which shall read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance to and/or medical care for, and for rehabilitation and ~~other services~~ to help such families and individuals

any other services included in the Federal legislation providing matching funds

providing that nothing in the Amendment shall be construed to amend, modify, or repeal Article 31 of Article III of the Constitution.

attain or retain capability for independence or self-care, and for the payment of assistance to and/or medical care for, and for rehabilitation and other services for:

or non-citizens who have resided within the boundaries of the United States at least 25 years
"(1) Needy aged persons who are citizens of the United States and are over the age of sixty-five (65) years;

ok ?
"(2) Needy individuals who are citizens of the United States who shall have passed their eighteenth (18th) birthday but have not passed their sixty-fifth (65th) birthday and who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical ^{and} or mental handicaps;

"(3) Needy blind persons who are citizens of the United States and who are over the age of eighteen (18) years;

"(4) Needy children who are citizens of the United States and who are under the age of twenty-one (21) years, and to the caretakers of such children.

"The Legislature may define the residence requirements, if any, for participation in these programs.

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care *any other services included in the Federal legislation providing* on behalf of needy persons, and in providing rehabilitation and ~~other services~~ *matching funds* ^{and ?} to help such families and individuals attain or retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of State funds for such purposes; provided that the maximum amount paid out of State funds to or on behalf of any individual recipient shall not exceed the amount that is matchable out of Federal funds; provided that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable

Nothing in this Section shall be construed to amend, modify, or repeal Section 31 of Article XVI of the Constitution; Insert ①.

out of Federal funds; and provided further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Sixty Million Dollars (\$60,000,000).^①

SECTION 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an Election to be held on the first Tuesday after the first Monday in November, 1965, at which Election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment providing for assistance to and/or medical care for the: (1) needy aged; (2) needy individuals who are permanently and totally disabled; (3) needy blind; and (4) needy children and the caretakers of such children; authorizing the Legislature to cooperate with the Government of the United States in providing assist-

ance to and/or medical care on behalf of such needy persons, and in providing ~~any other services included in the Federal legislation~~ ^{providing matching funds} rehabilitation and ~~other services~~ to help such families and individuals attain or retain capability for independence or self-care,

and to accept and expend funds from the Government of the United States for such purposes, and to make appropriations out of State funds for

the purpose of providing assistance to and/or medical care and rehabilitation and ~~any other services included in the Federal legislation~~ ^{providing matching funds} ~~other services~~ on behalf of such needy persons; providing that

the amounts expended out of State funds to and/or on behalf of individuals shall not exceed the amounts that are matchable out of Federal funds; pro-

viding that the total amount of such assistance payments and/or medical

assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; and pro- ^{Senate} ~~amend. No 2~~

viding further that the total amount of money to be expended per fiscal

year out of State funds for assistance payments only to recipients of Old

Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed

Sixty Million Dollars (\$60,000,000).^① Providing that nothing in the Amendment shall be construed to amend, modify, or repeal Section 31 of Article XVI of the Constitution.^①

"AGAINST the Constitutional Amendment providing for assistance to and/or medical care for the: (1) needy aged; (2) needy individuals who are permanently and totally disabled; (3) needy blind; and (4) needy children and the caretakers of such children; authorizing the Legislature to cooperate with the Government of the United States in providing assist-

ance to and/or medical care on behalf of such needy persons, and in providing rehabilitation and ~~other services~~ ^{to help such families and in-}

dividuals attain or retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes, and to make appropriations out of State funds for

the purpose of providing assistance to and/or medical care and rehabilitation and ~~other services~~ ^{on behalf of such needy persons; providing that}

the amounts expended out of State funds to and/or on behalf of individuals shall not exceed the amounts that are matchable out of Federal funds; pro-

viding that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; and providing

further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Sixty Million

Dollars (\$60,000,000). ^{Providing that nothing in the Amendment}

SECTION 3. The Governor of the State of Texas is hereby directed

to issue the necessary proclamation for said Election and have the same published and held as required by the Constitution and the Laws of the State of Texas.

FORM B

(For favorable reports on bills where committee amendments other than "committee substitutes" are recommended; and for resolutions where committee amendments, including complete substitutes, are recommended.)

COMMITTEE REPORT

Date May 3 1965

HON. BEN BARNES

Speaker of the House of Representatives.

Sir:

We, your Committee on Constitutional Amendments, to whom was referred H. J. R., No. 81, have had the same under consideration and beg to report back with recommendation that it do pass, as amended, and be printed.

Allen
Chairman.

(In the case of simple and concurrent resolutions the words "and be printed" should be stricken out since resolutions are printed in the Journal when they are first introduced.

The word "not" should be inserted before "printed" only in case of a local bill reported favorably with amendments and ordered not printed, which is customary for local bills.)

COMMITTEE AMENDMENT
NO. 1

HOUSE JOINT RESOLUTION NO. 81

BY Green

AMENDMENT NO. 1

Amend House Joint Resolution No. 81 by amending Section 1 as follows:

Amend the second paragraph of Section 1 by striking out the words "other services" following the words "and for rehabilitation and" and immediately preceding the words "to help such families", and inserting in lieu thereof the following, "any other services ^{included in the Federal legislation} ~~for which Federal matching funds are available~~ providing matching funds."

DATE MAY 11 1965

READ AND ADOPTED

Dorothy Hallman
CHIEF CLERK
HOUSE OF REPRESENTATIVES

m.m.
m.g.

(2)

COMMITTEE AMENDMENT

NO. 2

HOUSE JOINT RESOLUTION NO. 81

BY [Signature]

AMENDMENT NO. 2

Amend House Joint Resolution No. 81 by amending Section 1 as follows:

Amend the last paragraph of Section 1 by striking out the words "other services" immediately following the words "and in providing rehabilitation and" immediately preceding the words "to help such families", and inserting in lieu thereof "any other services ^{included in the Federal legislation} ~~for which Federal matching funds~~ ~~are available~~ ^{providing matching funds.}"

DATE MAY 11 1965

READ AND ADOPTED

[Signature]
CHIEF CLERK
HOUSE OF REPRESENTATIVES

m. m.

m. j.

13)

COMMITTEE AMENDMENTS

NO. 3

HOUSE JOINT RESOLUTION NO. 81

BY

Green

AMENDMENT NO. 3

Amend House Joint Resolution No. 81 by amending Section 2 as follows:

Amend the paragraph beginning with the words "FOR the Constitutional Amendment" by striking out the words "other services" immediately following the words "and in providing rehabilitation and" and immediately preceding the words "to help such families", and inserting in lieu thereof "any other services ^{included in the Federal legislation} ~~for which Federal matching funds are available~~, ^{providing matching funds}."

and

Amend the same paragraph and the same clause as above by striking out the words "other services" immediately preceding the words "on behalf of such needy persons;", and inserting in lieu thereof the words "any other services ^{included in the Federal legislation providing matching funds} ~~for which Federal matching funds are available~~ on behalf of such needy persons;"

DATE MAY 11 1985

READ AND ADOPTED

Dorothy Hallman
CHIEF CLERK
HOUSE OF REPRESENTATIVES

m.m.

m.g.

(4)

COMMITTEE AMENDMENT
NO. 4

HOUSE JOINT RESOLUTION NO. 81

BY Green

AMENDMENT NO. 4

Amend House Joint Resolution No. 81 by amending Section 2 as follows:

Amend the paragraph beginning "AGAINST the Constitutional Amendment" to conform to the wording in the FOR Clause.

MAY 11 1965

DATE _____

READ AND ADOPTED

Dorothy Hutton
CHIEF CLERK
HOUSE OF REPRESENTATIVES

m.m.
m.g.

(5)

COMMITTEE AMENDMENT
NO. 5

HOUSE JOINT RESOLUTION NO. 81

BY Law

AMENDMENT NO. 5

Amend the Caption of House Joint Resolution No. 81 by striking out the clause, "providing rehabilitation and other services to help such families and individuals attain or retain capability for independence or self-care;" and inserting in lieu thereof the following clause, "providing rehabilitation and any other services ^{included in the} ~~for which~~ ^{legislation providing matching funds} Federal ~~matching funds are available~~ to help such families and individuals attain or retain capability for independence or self-care;"

DATE MAY 11 1965

READ AND ADOPTED

Dorothy H. Hall
CHIEF CLERK
HOUSE OF REPRESENTATIVES

m. m.
m. j.

(6)

COMMITTEE AMENDMENT
NO. 6

By *Green*

(Amendment No. 6 by sub-committee) amends Section 1, H.J.R. 81, which amends Section 51a, sub-section (1) by adding after the word "states" and before the word "and" the following: "Or noncicitizens who shall have resided within the boundaries of the United States for at least twenty-five years."

MAY 11 1965

DATE _____

READ AND ADOPTED

Dorothy Hallman
HOUSE OF REPRESENTATIVES

MAY 11 1965

MOTION TO RECONSIDER THE VOTE BY WHICH Amendment was adopted WAS ADOPTED / ~~PASSED~~ AND TO TABLE THE MOTION TO RECONSIDER PREVAILED PASSED BY A non-record VOTE OF

AYES AND

NAYES

Dorothy Hallman
CHIEF CLERK HOUSE OF REPRESENTATIVES

m.m.

m.j.

(7)

Wilson

Amend H. J. R. No. 81 by inserting the following words
on line 25 of Page 2 of the printed Resolution:

"First Tuesday after the first Monday in November, 1965"

MAY 11 1965

DATE _____

READ AND ADOPTED

Dorothy H. ...
HOUSE OF REPRESENTATIVES

m.m.

m.g.

(8)
AMENDMENT NO. _____

BY Wilson

Amend House Joint Resolution No. 81 as follows:

✓ (1) on page 1, line 40 of the printed resolution, after "\$60,000,000)",
add "providing that nothing in the Amendment shall be construed to
amend, modify, or repeal Section 31 of Article XVI of the Constitution";

✓ (2) on page 2, between lines 22 and 23 of the printed resolution, add
a new paragraph to read as follows:

"Nothing in this section shall be construed to amend, modify, or
repeal Section 31 of Article XVI of this Constitution.";

✓ (3) on page 2, line 46 of the printed resolution, after "\$60,000,000)",
add "providing that nothing in the Amendment shall be construed to
amend, modify, or repeal Section 31 of Article XVI of the Constitution";

✓ (4) on page 3, line 5 of the printed resolution, after "\$60,000,000)",
add "providing that nothing in the Amendment shall be construed to
amend, modify, or repeal Section 31 of Article XVI of the Constitution".

MAY 11 1965

DATE _____

READ AND ADOPTED

Dorothy Hall
CHIEF CLERK
HOUSE OF REPRESENTATIVES

m.m.
m.g.

19

Smith
Wilson

Amend H. J. R. 81 by striking the words "any other services for which Federal matching funds are available" wherever they appear therein and substituting in lieu therefor the following:

"any other services included in the Federal legislation providing matching funds."

DATE MAY 11 1965

READ AND ADOPTED

Dorothy H. Hall
CHIEF CLERK
HOUSE OF REPRESENTATIVES

m.m.

~~(11)~~ (10)

Insert ①

Amendment 1

By Hyd

Amend Section 1 of H. J. R. 81 by striking the period at the end of Section 51-a as amended by Section 1 and substituting in lieu thereof a semicolon and adding the following:

✓ Provided further, however that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this State."

DATE MAY 14 1965

READ AND ADOPTED

Bartholomew
HOUSE OF REPRESENTATIVES

m. m.
m. j.
m. j.

By: Heatly, Wilson

H. J. R. No. 81

HOUSE JOINT RESOLUTION

proposing an Amendment to the Constitution of the State of Texas,
amending Section 51-a and Subsections 51a-1 and 51a-2 of Article III
so that the same shall consist of one section to be known as
Section 51-a; providing that the Legislature shall enact appropriate
legislation which will enable the State of Texas to cooperate with
the Government of the United States in providing assistance to
and/or medical care on behalf of needy aged persons over the age of
sixty-five (65) who are citizens of the United States or non-
citizens who shall have resided within the boundaries of the United
States for at least 25 years, needy persons under the age of sixty-
five (65) who are totally and permanently disabled and who are
citizens of the United States, needy blind persons over the age of
eighteen (18) who are citizens of the United States, and needy
children under the age of twenty-one (21) years who are citizens
of the United States and to the caretakers of such children; pro-
viding rehabilitation and any other services included in the
Federal legislation providing matching funds to help such families
and individuals attain or retain capability for independence or
self-care; authorizing the Legislature to prescribe residence
requirements; providing for the acceptance and expenditure of funds
from the Government of the United States for such purposes; author-
izing appropriations for such purposes out of State funds; pro-
viding that the maximum amount paid out of State funds to any

Amendment

H. J. R. No. 81

individual recipient shall not exceed the amount that is matchable out of Federal funds; providing that the total amount of such payments for assistance and/or medical care out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; providing further that the amounts expended out of State funds for assistance payments only shall not exceed Sixty Million Dollars (\$60,000,000); providing that nothing in the Amendment shall be construed to amend, modify, or repeal Section 31 of Article XVI of the Constitution; providing for the necessary election, form of ballot, proclamation, and publication.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 51-a and Subsections 51a-1 and 51a-2 of Article III of the Constitution of the State of Texas be amended, and the same are hereby amended, so that they shall hereafter consist of one section to be known as Section 51-a of Article III, which shall read as follows:_____

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance to and/or medical care for, and for rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance to and/or medical care for, and for rehabilitation and other services for:_____

"(1) Needy aged persons who are citizens of the United States or noncitizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years and are over the age of sixty-five (65) years;_____

"(2) Needy individuals who are citizens of the United States who shall have passed their eighteenth (18th) birthday but have not passed their sixty-fifth (65th) birthday and who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;_____

"(3) Needy blind persons who are citizens of the United States and who are over the age of eighteen (18) years;_____

"(4) Needy children who are citizens of the United States and who are under the age of twenty-one (21) years, and to the caretakers of such children._____

"The Legislature may define the residence requirements, if any, for participation in these programs._____

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of State funds for such purposes;_____


provided that the maximum amount paid out of State funds to or on behalf of any individual recipient shall not exceed the amount that is matchable out of Federal funds; provided that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; ^{Amendment No. 1} and provided further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Sixty Million Dollars (\$60,000,000).

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the Laws of this State."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in

November, 1965, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment providing for assistance to and/or medical care for the: (1) needy aged; (2) needy individuals who are permanently and totally disabled; (3) needy blind; and (4) needy children and the caretakers of such children; authorizing the Legislature to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of such needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes, and to make appropriations out of State funds for the purpose of providing assistance to and/or medical care and rehabilitation and any other services included in the Federal legislation providing matching funds on behalf of such needy persons; providing that the amounts expended out of State funds to and/or on behalf of individuals shall not exceed the amounts that are matchable out of Federal funds; providing that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; and providing further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall



H. J. R. No. 81

never exceed Sixty Million Dollars (\$60,000,000). Providing that nothing in the Amendment shall be construed to amend, modify, or repeal Section 31 of Article XVI of the Constitution. _____

"AGAINST the Constitutional Amendment providing for assistance to and/or medical care for the: (1) needy aged; (2) needy individuals who are permanently and totally disabled; (3) needy blind; and (4) needy children and the caretakers of such children; authorizing the Legislature to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of such needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes, and to make appropriations out of State funds for the purpose of providing assistance to and/or medical care and rehabilitation and any other services included in the Federal legislation providing matching funds on behalf of such needy persons; providing that the amounts expended out of State funds to and/or on behalf of individuals shall not exceed the amounts that are matchable out of Federal funds; providing that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; ^{Amendment No. 81} and providing further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of Old Age Assistance, Aid to the _____



H. J. R. No. 81

Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Sixty Million Dollars (\$60,000,000). Providing that nothing in the Amendment shall be construed to amend, modify, or repeal Section 31 of Article XVI of the Constitution."

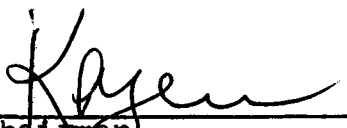
Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have the same published and held as required by the Constitution and the Laws of the State of Texas.

Austin, Texas

May 19, 1965

Hon. Preston Smith
President of the Senate
Sir:

We, your Committee on Constitutional Amendments,
to which was referred HJR B. No. 81, have had the same under
consideration, and I am instructed to report it back to the
Senate with the recommendation that it do _____
pass as amended and be _____ printed.


Chairman

C.A.S.

~~SENATE~~ COMMITTEE AMENDMENT NO. 1

Amend House Joint Resolution No. 81 by amending Section 1 as follows:

Amend next to the last paragraph of Section 1 by inserting the following clause immediately preceding the clause "and provided further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only. . . .":

"provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the State for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons;"

MAY 27 1965

The House has concurred in Senate amendments to House Bill No. 81 by vote of 143 ayes, 8 noes.

Dorothy Hallman
Chief Clerk, House of Representatives

ADOPTED

MAY 26 1965

Schnabel
SECRETARY OF SENATE

1.

HOUSE JOINT RESOLUTION NO. 81

BY: M. M. M.

~~SENATE~~ COMMITTEE AMENDMENT NO. 2

Amend House Joint Resolution No. 81 by amending Section 2 as follows:

Amend the paragraph beginning with the words "FOR the Constitutional Amendment" by inserting the following ^{immediately preceding the clause} clause, "and provided further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only":

Amendment
yes. (2)

① provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the State for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; ②

and

Amend the paragraph beginning "AGAINST the Constitutional Amendment" to conform to the wording in the FOR clause.

MAY 27 1965

The House has concurred in Senate amendments to House Bill No. 81 by vote of 143 ayes, 30 noes.

ADOPTED

MAY 26 1965

Schmidt
SECRETARY OF SENATE

Secretary Hallman
Clerk of House of Representatives

M. G.
#2
m. m.

HOUSE JOINT RESOLUTION NO. 81

BY: Moore

~~SENATE~~ COMMITTEE AMENDMENT NO. 3

Amend the Caption of House Joint Resolution No. 81 to conform.

ADOPTED

MAY 26 1965

Schmidt
SECRETARY OF SENATE

#3

MAY 27 1965

The House has concurred in Senate amendments
to House Bill No. 81 by vote of 143 ayes,
0 noes.

Dorothy Hallman

Chief Clerk, House of Representatives

m.g.
m.m.

ENROLLED

H. J. R. No. 81

HOUSE JOINT RESOLUTION

proposing an Amendment to the Constitution of the State of Texas, amending Section 51-a and Subsections 51a-1 and 51a-2 of Article III so that the same shall consist of one section to be known as Section 51-a; providing that the Legislature shall enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy aged persons over the age of sixty-five (65) who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least 25 years, needy persons under the age of sixty-five (65) who are totally and permanently disabled and who are citizens of the United States, needy blind persons over the age of eighteen (18) who are citizens of the United States, and needy children under the age of twenty-one (21) years who are citizens of the United States and to the caretakers of such children; providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care; authorizing the Legislature to prescribe residence requirements; providing for the acceptance and expenditure of funds from the Government of the United States for such purposes; authorizing appropriations for such purposes out of State funds; providing that the maximum amount paid out of State funds to any

H. J. R. No. 81

individual recipient shall not exceed the amount that is matchable out of Federal funds; providing that the total amount of such payments for assistance and/or medical care out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the State for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; providing further that the amounts expended out of State funds for assistance payments only shall not exceed Sixty Million Dollars (\$60,000,000); providing that nothing in the Amendment shall be construed to amend, modify, or repeal Section 31 of Article XVI of the Constitution; providing for the necessary election, form of ballot, proclamation, and publication.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 51-a and Subsections 51a-1 and 51a-2 of Article III of the Constitution of the State of Texas be amended, and the same are hereby amended, so that they shall hereafter consist of one section to be known as Section 51-a of Article III, which shall read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained,

and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance to and/or medical care for, and for rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance to and/or medical care for, and for rehabilitation and other services for:

"(1) Needy aged persons who are citizens of the United States or noncitizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years and are over the age of sixty-five (65) years;

"(2) Needy individuals who are citizens of the United States who shall have passed their eighteenth (18th) birthday but have not passed their sixty-fifth (65th) birthday and who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

"(3) Needy blind persons who are citizens of the United States and who are over the age of eighteen (18) years;

"(4) Needy children who are citizens of the United States and who are under the age of twenty-one (21) years, and to the caretakers of such children.

"The Legislature may define the residence requirements, if any, for participation in these programs.

"The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to

and/or medical care on behalf of needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of State funds for such purposes; provided that the maximum amount paid out of State funds to or on behalf of any individual recipient shall not exceed the amount that is matchable out of Federal funds; provided that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the State for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; and provided further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Sixty Million Dollars (\$60,000,000).

"Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the Laws of this State."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1965, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment providing for assistance to and/or medical care for the: (1) needy aged; (2) needy individuals who are permanently and totally disabled; (3) needy blind; and (4) needy children and the caretakers of such children; authorizing the Legislature to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of such needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or

retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes, and to make appropriations out of State funds for the purpose of providing assistance to and/or medical care and rehabilitation and any other services included in the Federal legislation providing matching funds on behalf of such needy persons; providing that the amounts expended out of State funds to and/or on behalf of individuals shall not exceed the amounts that are matchable out of Federal funds; providing that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the State for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; and providing further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Sixty Million Dollars (\$60,000,000). Providing that nothing in the Amendment shall be construed to amend, modify, or repeal Section 31 of Article XVI of the Constitution.

"AGAINST the Constitutional Amendment providing for assistance to and/or medical care for the: (1) needy aged; (2) needy individuals who are permanently and totally disabled; (3) needy blind; and (4) needy children and the caretakers of such children; authorizing the Legislature to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of such needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and to accept and expend funds from the Government of the United States for such purposes, and to make appropriations out of State funds for the purpose of providing assistance to and/or medical care and rehabilitation and any other services included in the Federal legislation providing matching funds on behalf of such needy persons; providing that the amounts expended out of State funds to and/or on behalf of individuals shall not exceed the amounts that are matchable out of Federal funds; providing that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the State for these purposes, then and in that event the Legislature is specifically

H. J. R. No. 81

authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; and providing further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Sixty Million Dollars (\$60,000,000). Providing that nothing in the Amendment shall be construed to amend, modify, or repeal Section 31 of Article XVI of the Constitution."

Sec. 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have the same published and held as required by the Constitution and the Laws of the State of Texas.

Lieutenant Governor
President of the Senate

Speaker of the House

I hereby certify that H. J. R. No. 81 was adopted by the House on May 14, 1965, by the following vote: Yeas 142, Nays 0; and that the House concurred in Senate amendments to H. J. R. No. 81 on May 27, 1965, by the following vote: Yeas 143, Nays 0.

Chief Clerk of the House

H. J. R. No. 81

I hereby certify that H. J. R. No. 81 was passed by the
Senate, as amended, on May 26, 1965, by the following vote:
Yeas 28, Nays 0.

Secretary of the Senate

APPROVED:

6-17-65

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8:45 P.M. O'CLOCK

JUN 20 1965

Crawford C. Martin
Secretary of State

H.J.R. NO. 81 BY Heath

A JOINT RESOLUTION

PROPOSING an Amendment to the Constitution of the State of Texas, amending Section 51-a and Subsections 51a-1 and 51a-2 of Article III so that the same shall consist of one section to be known as Section 51-a; providing that the Legislature shall enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy aged persons over the age of sixty-five (65), who are citizens of the United States, needy persons under the age of sixty-five (65) who are totally and permanently disabled and who are citizens of the United States, needy blind persons over the age of eighteen (18) who are citizens of the United States, and needy children under the age of twenty-one (21) years who are citizens of the United States and to the caretakers of such children; providing rehabilitation and other services to help such families and individuals attain or retain capability for independence or self-care; authorizing the Legislature to prescribe residence requirements; providing for the acceptance and expenditure of funds from the Government of the United States for such purposes; authorizing appropriations for such purposes out of State funds providing that the maximum amount paid out of State funds to any individual recipient shall not exceed the amount that is matchable out of Federal funds; providing that the total amount of such payments for assistance and/or medical care out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; providing further that the amounts expended out of State funds for assistance payments only shall not exceed Sixty Million Dollars (\$60,000,000); providing for the necessary election, form of ballot, proclamation, and publication.

APR 25 1965

PERMISSION GRANTED TO INTRODUCE

Dorothy Hallman
Chief Clerk, House of Representatives

FILED

APR 15 1965

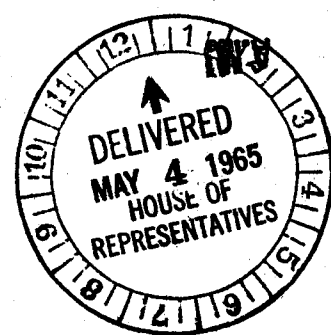
APR 20 1965

READ 1ST TIME
AND REFERRED TO COMMITTEE ON

Constitutional Amendments

MAY 3 1965

REPORTED FAVORABLY AS AMENDED SENT TO PRINTER



MAY 4 1965

RETURNED FROM PRINTER SENT TO SPEAKER

MAY 11 1965

Postponed to 5-11-65
at 2:30 P.M.

Dorothy Hallman
Chief Clerk, House of Representatives

MAY 11 1965

Postponed to 5-14-65
at 10:00 A.M.

Dorothy Hallman
Chief Clerk, House of Representatives

Caption amended to conform to body of bill under authority of Rule IV, Sec. 5, Rules of the House of Representatives.

5/14/65
(Date)
Aras Duggins
(Engrossing and Enrolling Clerk)

APPROVED:
Heath
(Author)

By: Heatly, Wilson

H. J. R. No. 81

HOUSE JOINT RESOLUTION

proposing an Amendment to the Constitution of the State of Texas,
amending Section 51-a and Subsections 51a-1 and 51a-2 of Article III
providing assistance to and/or medical care on behalf of needy aged
persons over the age of sixty-five (65) . . . etc.

4-15-65 Permission granted to introduce.

4-15-65 Filed.

4-20-65 Read first time and referred to Committee on Constitutional Amendments.

5- 3-65 Reported favorably as amended, sent to printer.

5- 4-65 Returned from printer, sent to Speaker.

5-11-65 Postponed to 5-11-65, at 2:30 p.m.

5-11-65 Postponed to 5-14-65, at 10:00 a.m.

5-14-65 Read second time, amended and ordered engrossed and adopted by the following vote: Yeas 142, Nays 0.

Dorothy Hallman
Chief Clerk, H. of R.

5-14-65 Sent to Engrossing Clerk.

5-14-65 Engrossed.

Area Supp
Engrossing Clerk, H. of R.

MAY 17 1965

IN THE SENATE

MAY 17 1965 RETURNED FROM ENGROSSING SENT TO THE SENATE

Received from
the House.

MAY 17 1965

Read first time
and referred to Committee
on Constitutional Amendments

MAY 19 1965

Reported Favorably.
as amended

MAY 26 1965

Regular order of business sus-
pended by unanimous consent to
permit consideration.

MAY 26 1965

READ SECOND TIME, amended
AND PASSED TO THIRD READING.

MAY 26 1965

Senate Rule 32 and
Constitutional Rule (Sec. 32, Art. III)
suspended by a vote of ~~28~~ 28 yeas,
0 nays, to place bill on third
reading and final passage.

MAY 26 1965

READ THIRD TIME AND PASSED
BY THE FOLLOWING VOTE:

28
Yeas ~~28~~ Nays 0

Charles Schnabel
Secretary of the Senate

MAY 27 1965

SENT TO HOUSE

MAY 27 1965

RETURNED FROM SENATE

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 27 1965

The House has concurred in Senate amendments
to House Bill No. 81 by vote of 143 ayes,
80 noes.

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 27 1965 SENT TO ENROLLING CLERK.